

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21593 of 2020

Arising Out of PS. Case No.-101 Year-2018 Thana- TRIVENIGANJ District- Supaul

MD. AJHAR @ AJHAR ALI S/o Md. Subhan Ali @ Shobhanali @ Shobhan Ali Resident of Village- Oray (Aurahi East), Ward No-10, P.S.- Puraini District- Madhepura Presently Resident of Mohalla- Madhepura, Near Nurani Masjid Ward No.-01, P.S- Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the State : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-07-2020 Heard Mr. Pawan Kumar, learned counsel for the petitioner and Mr. Akshay Lal Pandit, learned Additional Public Prosecutor appearing for the State through video conferencing.

Learned counsel for the petitioner is directed to remove the defect(s) as pointed out by the Stamp Reporter within eight weeks.

Petitioner seeks regular bail in connection with Triveniganj P.S. Case No. 101 of 2018 registered for the offences punishable under Sections 302, 120B/34 of the Indian Penal Code 1860 and Section 27 of the Arms Act.

The allegation against the petitioner as per the First Information Report lodged by the informant is that while she had gone to her maternal house (*naihar*) and the daughter of the



informant was staying at home, her husband was killed by co-accused Md. Rustam along with four other accused persons, when he had gone for morning prayer. It has further been alleged that second wife of the deceased, namely, Iza Khatoon and her son Md. Rustam were having property dispute with the husband of the informant.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case merely on the basis of the fact that as per the call details (CDR), the petitioner was present near the place of occurrence and he had a talk with co-accused Md. Rustam. Learned counsel referring to Annexure-2 submits that the co-accused Md. Rustam and Md. Anzar Ahmad have already been granted bail by coordinate Benches of this Court vide orders dated 31.10.2018 and 10.5.2018 passed in Cr. Misc. Nos. 53974 of 2018 and 28111 of 2018 respectively. Learned counsel further submits that the petitioner is in custody since 20.12.2019.

Having regard to the submissions made by the parties and taking into consideration the fact that other co-accused persons have already been granted bail by coordinate Benches of this Court and the petitioner is in custody since 20.12.2019, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Supaul, in connection with Triveniganj P.S. Case No. 101 of 2018.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

